

# **EXHIBIT 4**



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# Transcript of Rachel Jean Gold

**Date:** January 23, 2023

**Case:** Robertson, et al. -v- Cuban, et al.

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IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

- - - - - x

PIERCE ROBERTSON, RACHEL GOLD, :  
SANFORD GOLD, RAHIL SAYED, :  
CHRISTOPHER EHRENTAUT, TODD :  
MANGANIELLO, DAN NEWSOM, :  
WILLIAM AYER, ANTHONY DORN, :  
DAMECO GATES, MARSHALL PETERS, :  
and EDWIN GARRISON, on behalf :  
of themselves and all others :  
similarly situated, :

Plaintiffs, :

v. : Case No.:  
1:22-cv-22538

MARK CUBAN and DALLAS :  
BASKETBALL LIMITED d/b/a :  
DALLAS MAVERICKS, :

Defendants. :

- - - - - x

REMOTE VIDEOTAPED DEPOSITION OF

RACHEL JEAN GOLD

CORAL SPRINGS, FLORIDA

Monday, January 23, 2023

10:15 a.m.

Job No. 478352

Pages: 1 - 218

Reported By: April L. Crites, RMR, CRR, CSR, CCR

Notary Public, State of Ohio

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1	Q Okay. But you remember watching it on	11:33:50
2	YouTube; is that right?	11:33:51
3	A On YouTube, yes.	11:33:52
4	Q Have you ever taken any classes on finance	11:33:55
5	or investing?	11:33:59
6	A No.	11:34:01
7	Q Okay. You've heard of Voyager, or Voyager	11:34:04
8	Digital, right?	11:34:10
9	A Yes.	11:34:11
10	Q What is Voyager?	11:34:11
11	A A cryptocurrency trading platform.	11:34:12
12	Q And do you know who started Voyager?	11:34:15
13	A Steve Ehrlich, I believe.	11:34:17
14	Q And is that the CEO?	11:34:21
15	A I think so.	11:34:24
16	Q When did you first hear about Voyager?	11:34:25
17	A Through Dylan.	11:34:28
18	Q Do you remember when that was?	11:34:30
19	A Same as -- as right -- right before	11:34:34
20	January, when I invested, so a couple months --	11:34:39
21	late 2021.	11:34:44
22	Q And what did you do with the information	11:34:46
23	that you received from Mr. Keuning?	11:34:49
24	A Researched it, Googled it, tried to	11:34:53
25	validate the information.	11:34:56

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1	Q Did you contact any investment advisors or	11:34:58
2	speak to Jeff about it?	11:35:01
3	A I spoke to Jeff briefly about it, but they	11:35:03
4	don't really dabble in crypto, so it was something	11:35:08
5	he wanted to learn more about himself but --	11:35:12
6	Q So Jeff was learning about crypto from	11:35:15
7	you?	11:35:18
8	A No.	11:35:18
9	Q Okay.	11:35:18
10	A He expressed to me that he didn't know a	11:35:19
11	lot about crypto.	11:35:23
12	Q And did you look at the Voyager website?	11:35:25
13	A The app.	11:35:28
14	Q On the app exclusively?	11:35:30
15	A Yes.	11:35:33
16	Q And did you talk to any friends about	11:35:35
17	opening up a Voyager account?	11:35:37
18	A After the fact. I told my -- one of my	11:35:39
19	best friends, Louise, about it, and Dylan	11:35:43
20	obviously knew about it.	11:35:47
21	Q And when you spoke to Louise, did you give	11:35:47
22	her a promotion code for her to open an account?	11:35:51
23	A No.	11:35:55
24	Q Do you know if she ever opened an account?	11:35:55
25	A I don't think she did.	11:35:57

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1	Q Okay. Any other research that you did	11:36:00
2	concerning Voyager?	11:36:02
3	A Just Googling online.	11:36:06
4	Q What did you find when you Googled online	11:36:09
5	about Voyager?	11:36:15
6	A Validating what Dylan had told me about	11:36:16
7	some of Mark Cuban's statements around Voyager and	11:36:19
8	its safety and USDC.	11:36:23
9	Q And did you ever attempt to open a Voyager	11:36:34
10	account in your name?	11:36:37
11	A I did.	11:36:38
12	Q Why did you decide to do that?	11:36:38
13	A Just -- that was -- I thought would be the	11:36:42
14	easiest way to open the account.	11:36:48
15	Q And do you recall when this was?	11:36:53
16	A Same time frame, January.	11:36:57
17	Q Early January 2022 --	11:37:00
18	A Yeah.	11:37:02
19	Q -- right?	11:37:02
20	And were you successful in opening the	11:37:03
21	account?	11:37:06
22	A No.	11:37:06
23	Q Can you tell me what happened?	11:37:07
24	A I opened the account in my name, and I was	11:37:10
25	trying to transfer funds from an account that just	11:37:14

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1	had Eric's name. And a few days after I initiated	11:37:18
2	the transfer, it said that it was denied.	11:37:24
3	Q So the account that you tried to open in	11:37:30
4	your name was never funded; is that right?	11:37:33
5	A Correct.	11:37:36
6	Q So I'm going to turn to Document B, which	11:37:39
7	is going to be handed over to you. It's been	11:37:43
8	marked as Exhibit 2.	11:37:46
9	MS. WOLKINSON: For the record, it bears	11:37:50
10	Bates stamp, RGOLD_CUBAN_00103 through 00104.	11:37:53
11	(Defendants' Exhibit 2, Voyager E-mail,	11:38:03
12	January 5, 2022, Bates stamped RGOLD_CUBAN_00103	11:38:03
13	through 00104, was marked and presented for	11:38:03
14	purposes of identification.)	11:38:04
15	BY MS. WOLKINSON:	11:38:04
16	Q So, Ms. Gold, this is an e-mail that you	11:38:05
17	received from Voyager; is that right?	11:38:08
18	A Yes.	11:38:10
19	Q And it's dated January 5, 2022, right?	11:38:12
20	A Yes.	11:38:18
21	Q So this is from when you first tried to	11:38:18
22	open up the account in your name, right?	11:38:22
23	A Yes.	11:38:24
24	Q Okay. And, you know, it says, Thanks for	11:38:24
25	signing up. You're almost ready to start trading.	11:38:27

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1	Confirm your e-mail address by clicking the button	11:38:30
2	below.	11:38:34
3	I'm assuming that you clicked the button	11:38:34
4	below; is that right?	11:38:37
5	A I believe so, yes.	11:38:38
6	Q And this is a Voyager account. Do you	11:38:39
7	understand what kind of account this was?	11:38:43
8	A Yes.	11:38:46
9	Q What kind of an account was it?	11:38:46
10	A A crypto -- it was on a crypto exchange.	11:38:49
11	Q And do you know if this account that you	11:38:55
12	tried opening on January 5, 2022, if that was an	11:38:57
13	Earn Program account?	11:39:05
14	A I don't know what that means.	11:39:07
15	Q Did you speak with anyone about opening up	11:39:13
16	an Earn Program Account?	11:39:16
17	A I -- I don't know what Earn -- I don't	11:39:20
18	know what you mean by Earn Program account.	11:39:24
19	Q Okay. The account that you tried opening	11:39:29
20	on January 5, 2022, this is the only account that	11:39:35
21	you tried opening up with Voyager in your name --	11:39:40
22	A Correct.	11:39:43
23	Q -- is that right?	11:39:44
24	A Correct.	11:39:45
25	Q And you were never able to fund this	11:39:46



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1	account, correct?	11:39:48
2	A Correct.	11:39:48
3	Q And you're not claiming that any losses	11:39:51
4	of -- loss of funds deposited in the Voyager	11:39:56
5	account in your name, right?	11:40:01
6	A Correct.	11:40:03
7	Q And any losses you claim are with respect	11:40:03
8	to funds deposited into the Voyager account were	11:40:05
9	in your husband's name; is that right?	11:40:08
10	A Correct.	11:40:10
11	Q And were you able to make any	11:40:11
12	cryptocurrency transactions in the account opened	11:40:14
13	January 5th in your name?	11:40:18
14	A No.	11:40:20
15	Q So I'm going to turn to Document C, which	11:40:24
16	will be marked as Exhibit 3.	11:40:29
17	MS. WOLKINSON: For the record, it bears	11:40:34
18	the Bates number RGOLD_CUBAN_00148 through 00150.	11:40:36
19	(Defendants' Exhibit 3, Account Sheet,	11:40:51
20	Bates stamped RGOLD_CUBAN_00148 through 00150, was	11:40:51
21	marked and presented for purposes of	11:40:51
22	identification.)	11:40:56
23	BY MS. WOLKINSON:	11:40:56
24	Q Do you recognize this document?	11:40:57
25	A Yes.	11:40:58

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1	Q Okay. What is it?	11:40:58
2	A All of the crypto transactions through the	11:41:00
3	Voyager app.	11:41:09
4	Q And is the information reflected in	11:41:10
5	Exhibit 3 for the account opened in your husband's	11:41:12
6	name?	11:41:14
7	A Correct.	11:41:15
8	Q And does this form accurately reflect the	11:41:17
9	activity in your husband's account?	11:41:21
10	A Yes.	11:41:23
11	Q And did you generate this form?	11:41:24
12	A I e-mailed Voyager, asking for a ledger.	11:41:28
13	I believe this is what they sent me.	11:41:38
14	Q So just so I understand, you e-mailed	11:41:44
15	Voyager asking for a ledger from your account, and	11:41:51
16	this is what was sent to you by Voyager; is that	11:41:53
17	right?	11:41:56
18	A From my husband's account.	11:41:56
19	Q From your husband's account. Okay.	11:42:00
20	And you, though, have not produced any	11:42:01
21	records for any trading in your account, right?	11:42:04
22	A There was no trading.	11:42:06
23	Q Okay. I just want to be clear on that.	11:42:07
24	Thank you.	11:42:10
25	And looking at this document, did you	11:42:10

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1	Q For the Risk Check, why does it say,	11:46:14
2	Rejected?	11:46:22
3	A My understanding or belief would be	11:46:22
4	because the account is in my name, and the funds	11:46:24
5	that was trying to get transferred into Voyager	11:46:27
6	was not in my name.	11:46:30
7	Q So I'm going to show you a document that	11:46:37
8	will be marked as Exhibit 4A, as in alpha.	11:46:40
9	MS. WOLKINSON: For the record, it bears	11:46:46
10	the Bates number, Rob-Voyager-000000016.	11:46:48
11	(Defendants' Exhibit 4A, Voyager Document,	11:47:01
12	Bates stamped Rob-Voyager-000000016, was marked	11:47:01
13	and presented for purposes of identification.)	11:47:02
14	BY MS. WOLKINSON:	11:47:02
15	Q And, again, I'm representing that this is	11:47:02
16	a document that was produced by Voyager.	11:47:04
17	At the top of the document, do you see a	11:47:08
18	user ID at the top left-hand corner?	11:47:12
19	A Yes.	11:47:15
20	Q And it says, User Status, to the right,	11:47:16
21	and it says, Closed.	11:47:21
22	Correct?	11:47:24
23	A Yes.	11:47:24
24	Q And then a little bit further to the	11:47:25
25	right, it says there's a Compliance Tag; Yes.	11:47:27

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1	Can you see that?	11:47:32
2	A Yes.	11:47:33
3	Q And then, is the rest of the information,	11:47:33
4	if you go -- starting with your e-mail, towards	11:47:35
5	the right, is this all information that's accurate	11:47:41
6	as it pertains to you; your e-mail, name, birth	11:47:43
7	year, et cetera?	11:47:47
8	A Yes.	11:47:50
9	Q Thank you.	11:47:51
10	So, Ms. Gold, is -- is Mr. Cuban a friend	11:47:55
11	of yours?	11:48:00
12	A No.	11:48:01
13	Q And is he your investment advisor?	11:48:01
14	A No.	11:48:04
15	Q Have you ever spoken to Mr. Cuban?	11:48:04
16	A No.	11:48:08
17	Q Have you ever exchanged e-mails with him?	11:48:09
18	A No.	11:48:11
19	Q Have you ever exchanged text messages with	11:48:12
20	Mr. Cuban?	11:48:18
21	A No.	11:48:18
22	Q Have you ever written Mr. Cuban a letter?	11:48:18
23	A No.	11:48:20
24	Q Have you ever corresponded with Mr. Cuban	11:48:21
25	in any way?	11:48:23

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1	A No.	11:48:24
2	Q Have you ever been to a Dallas Mavericks	11:48:24
3	game?	11:48:28
4	A Been to one? No.	11:48:28
5	Q Are you -- other than a fan of Shark	11:48:30
6	Tank -- or is it fair to say that you're a fan of	11:48:34
7	Shark Tank?	11:48:37
8	A Yes.	11:48:37
9	Q Other than Shark Tank, are you a fan of	11:48:38
10	the Dallas Mavericks?	11:48:41
11	A No.	11:48:45
12	Q And have you ever seen any of the Dallas	11:48:48
13	Mavericks' Voyager Reward codes?	11:48:54
14	A Yes.	11:48:59
15	Q When did you see those?	11:48:59
16	A I don't recall if it was maybe December or	11:49:02
17	January of when I invested. It was a MAVS100,	11:49:06
18	something I recall seeing.	11:49:15
19	Q And did you use a MAVS100 code?	11:49:16
20	A No.	11:49:20
21	Q Why not?	11:49:21
22	A I was going to try to use Dylan's code.	11:49:22
23	It didn't work. I don't -- I don't think it did.	11:49:26
24	Q So Dylan's code was for how much of	11:49:32
25	Bitcoin?	11:49:37

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1	A I don't remember.	11:49:38
2	Q And you didn't first learn about Voyager	11:49:46
3	from Mr. Cuban, right?	11:49:49
4	A Correct.	11:49:50
5	Q And you didn't attempt to open up your	11:49:50
6	Voyager account because of anything Mr. Cuban	11:49:53
7	said, correct?	11:49:57
8	A Correct.	11:49:59
9	Q And did you rely on statements made by	11:50:01
10	Mr. Cuban in connection with your Voyager account?	11:50:05
11	A Yes.	11:50:07
12	Q Okay. Which ones?	11:50:09
13	A Specifically, USDC.	11:50:10
14	Q And what did Mr. Cuban say about USDC?	11:50:14
15	A Verbatim, I can't recall. I remember	11:50:19
16	vaguely a Twitter posting when I was doing my	11:50:22
17	research about how he was claiming that USDC was a	11:50:26
18	very wise, safe investment choice and that it was	11:50:33
19	better than just leaving your money in a bank.	11:50:37
20	Q And when did Mr. Cuban make the statement	11:50:40
21	that you're speaking about?	11:50:43
22	A I don't remember the date. I just	11:50:45
23	remember seeing it on Twitter.	11:50:48
24	Q And do you remember approximately around	11:50:51
25	when you saw it on Twitter?	11:50:55

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1	A Before I invested, so sometime in January,	11:50:58
2	I believe. January, mid-January.	11:51:01
3	Q So you first opened your account on	11:51:09
4	January 5th; is that right?	11:51:11
5	A My personal one that didn't get funded.	11:51:14
6	Q And then, when did you open up your	11:51:17
7	husband's account?	11:51:20
8	A Shortly after.	11:51:21
9	Q Was it January 7th? Does that sound about	11:51:21
10	right?	11:51:24
11	A Yeah.	11:51:24
12	Q And what did you do with the information	11:51:25
13	that you received from Mr. Cuban in connection	11:51:29
14	with Voyager?	11:51:35
15	A I invested in some Bitcoin and USDC.	11:51:36
16	Those are my two largest investments.	11:51:42
17	Q But you first attempted to open up your	11:51:47
18	Voyager account after speaking with Mr. Keuning;	11:51:50
19	is that right?	11:51:56
20	A Correct.	11:51:56
21	Q So turning now to Document E. The court	11:51:56
22	reporter will hand this over, and it's going to be	11:52:02
23	marked as Exhibit 5.	11:52:04
24	MS. WOLKINSON: For the record, it is	11:52:08
25	Bates stamped RGOLD_CUBAN_ 00160 through 00162.	11:52:11

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1	(Defendants' Exhibit 5, Keuning Messages	11:52:23
2	Screenshot, Bates stamped RGOLD_CUBAN_00160	11:52:23
3	through 00162, was marked and presented for	11:52:23
4	purposes of identification.)	11:52:28
5	BY MS. WOLKINSON:	11:52:28
6	Q So, this is a screenshot of a text message	11:52:28
7	between yourself and Dylan Keuning; is that right?	11:52:32
8	A Yes -- Facebook.	11:52:40
9	Q This is a Facebook message?	11:52:41
10	A A Facebook screenshot of the Messenger	11:52:45
11	chat.	11:52:48
12	Q And did you produce this Facebook	11:52:53
13	screenshot of a Messenger chat?	11:52:56
14	A Yes.	11:52:59
15	Q And how do you know Dylan Keuning?	11:53:07
16	A We used to work together at	11:53:14
17	Laurie Reader's office.	11:53:18
18	Q That's the Keller Williams Realty?	11:53:18
19	A Yes.	11:53:21
20	Q And when did you first meet him?	11:53:22
21	A At that office.	11:53:24
22	Q So was that about five years ago?	11:53:25
23	A Sounds right.	11:53:28
24	Q And what's the nature of your	11:53:29
25	relationship?	11:53:30



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1	A	He was one of the realtors that worked	11:53:31
2		with us.	11:53:34
3	Q	So his occupation is -- he's a full-time	11:53:36
4		real estate agent?	11:53:41
5	A	Yes.	11:53:42
6	Q	And does he also specialize in finance?	11:53:46
7	A	I would not say he specializes in finance.	11:53:53
8	Q	And Mr. Keuning is the person who told you	11:53:59
9		about Voyager in January 2022; is that right?	11:54:04
10	A	He might have told me a bit before when we	11:54:07
11		were speaking, but, yes, he is the person that	11:54:10
12		told me about it.	11:54:12
13	Q	And you tried to use Mr. Keuning's code	11:54:14
14		when you opened up your Voyager account; is that	11:54:18
15		right?	11:54:23
16	A	Yes.	11:54:23
17	Q	And did you also try to use his code when	11:54:24
18		you opened up your husband's account?	11:54:28
19	A	I can't remember.	11:54:30
20	Q	So you wanted this Voyager account because	11:54:35
21		Mr. Keuning had invested successfully in	11:54:42
22		cryptocurrency; is that right?	11:54:45
23	A	Correct.	11:54:46
24	Q	What did Mr. Keuning share with you about	11:54:48
25		his investments in crypto?	11:54:52

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1	A That he made money in crypto was pretty	11:54:56
2	much the gist of it.	11:55:02
3	Q And when Voyager filed for bankruptcy in	11:55:04
4	July, did you blame Mr. Keuning for telling you to	11:55:07
5	open up a Voyager account?	11:55:12
6	A I wouldn't say I blamed him. I was angry	11:55:14
7	that he ever told me about the app originally,	11:55:17
8	which led to my own research, but --	11:55:22
9	Q And would -- would Mr. Keuning, would he	11:55:25
10	message you daily about what to purchase, just	11:55:29
11	make suggestions?	11:55:34
12	A I don't know about daily, but he messaged	11:55:35
13	a lot in the beginning.	11:55:39
14	Q So turning, you know, to this document --	11:55:43
15	you do recognize this document, and it does come	11:55:49
16	from your Facebook chat, right?	11:55:53
17	A Yes.	11:55:55
18	Q And how did you go about collecting these	11:55:56
19	messages in advance of production?	11:56:02
20	A I screen-shotted them, and I searched for	11:56:05
21	specific keywords in my Facebook Messenger.	11:56:13
22	Q So I see Voyager's in white.	11:56:18
23	A Yes.	11:56:21
24	Q Is that one of the keywords?	11:56:21
25	A Yes.	11:56:23

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1	Q And what other keywords did you search	11:56:24
2	for?	11:56:26
3	A I believe for purposes of this, it was	11:56:27
4	just Voyager.	11:56:31
5	Q And what devices did you collect your	11:56:35
6	messages from?	11:56:38
7	A My phone.	11:56:39
8	Q And what applications are these messages	11:56:42
9	in?	11:56:45
10	A These are Facebook.	11:56:46
11	Q And during the collection process, did you	11:56:49
12	collect documents from other applications, as	11:56:52
13	well?	11:56:55
14	A Texts and e-mails.	11:56:55
15	Q So Facebook texts and e-mails; is that	11:57:00
16	right?	11:57:05
17	A Yes.	11:57:05
18	Q Okay. So I'd like to look at the first	11:57:05
19	message from January 6. And on Exhibit 5, that	11:57:08
20	actually is at the very bottom of the document.	11:57:17
21	So the bottom of -- this is Exhibit 5,	11:57:20
22	which is -- the document page is stamped 162. The	11:57:26
23	bottom text message from you, Rachel Gold Rares,	11:57:31
24	is from January 6, 2022; is that right?	11:57:37
25	A Yes.	11:57:43

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1	Q And is that the day that you opened up	11:57:43
2	your Voyager account?	11:57:45
3	A I don't know if I'm talking about mine or	11:57:47
4	the one that I opened up with my husband's name.	11:57:49
5	Q The message says, I used your code for	11:57:53
6	Voyage, but IDK if it worked. I didn't get	11:57:57
7	anything, LOL.	11:58:02
8	What are you referring to here?	11:58:03
9	A I tried to use his code in the Voyager app	11:58:05
10	but I wasn't sure if it worked.	11:58:12
11	Q And the "I" is you here, correct?	11:58:13
12	A Yes.	11:58:16
13	Q And the "your code for Voyage," that's	11:58:16
14	referring to a code from Mr. Keuning, right?	11:58:25
15	A Correct.	11:58:28
16	Q And what do you mean by "your code"?	11:58:28
17	A The code that he had sent me to use, a	11:58:33
18	referral code, I believe.	11:58:35
19	Q So this is not the referral code that you	11:58:37
20	spoke about earlier from -- from the Mavericks,	11:58:39
21	correct?	11:58:44
22	A Correct.	11:58:45
23	Q And also not a referral code from	11:58:45
24	Mr. Cuban, right?	11:58:47
25	A Correct.	11:58:49

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1	presented for purposes of identification.)	14:15:02
2	BY MS. WOLKINSON:	14:15:02
3	Q So I'm going to show what will be marked	14:15:03
4	as Exhibit 9.	14:15:05
5	MS. WOLKINSON: For the record, it's the	14:15:06
6	Voyager Cryptocurrency Disclosure Statement that's	14:15:08
7	available at the web link on Voyager's website in	14:15:12
8	the Customer Agreement.	14:15:16
9	BY MS. WOLKINSON:	14:15:20
10	Q Do you see at the top, Ms. Gold, where it	14:15:21
11	says Voyager Cryptocurrency Disclosures?	14:15:24
12	A Yes.	14:15:26
13	Q Have you seen this document before?	14:15:26
14	A Not that I recall.	14:15:29
15	Q So, it says, Cryptocurrencies are highly	14:15:30
16	speculative in nature, involve a high degree of	14:15:33
17	risk, and can rapidly and significantly decrease	14:15:35
18	in value. It is reasonably possible for the value	14:15:38
19	of cryptocurrencies to decrease to zero or near	14:15:41
20	zero.	14:15:43
21	Do you see that?	14:15:44
22	A Yes.	14:15:45
23	Q And do you see a point -- the next	14:15:46
24	paragraph, Cryptocurrency held on the Voyager	14:15:48
25	platform is not protected by FDIC insurance or any	14:15:52

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January 23, 2023

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1	other government-backed or third-party insurance.	14:16:01
2	Do you see that?	14:16:06
3	A Yes.	14:16:07
4	Q What did you understand that paragraph to	14:16:07
5	mean, that it's not protected by FDIC insurance or	14:16:10
6	any other government-backed or third-party	14:16:14
7	insurance?	14:16:17
8	A That if someone -- in regards to just the	14:16:17
9	FDIC insurance, for example, if someone hacked in	14:16:22
10	my account or got our login and username and	14:16:23
11	wanted to withdraw funds, it wouldn't be protected	14:16:24
12	by FDIC insurance.	14:16:28
13	In regards to the first paragraph,	14:16:30
14	cryptocurrencies being able to decrease to zero or	14:16:33
15	near zero, I understand that completely. But I	14:16:36
16	feel like there's a difference between it	14:16:39
17	decreasing to zero and being able to hold onto it,	14:16:41
18	and then, again, just having no access to your	14:16:45
19	crypto. I don't see that anywhere in the risk	14:16:47
20	disclosure, unless I'm mistaken.	14:16:49
21	Q Do you see where it says on the fifth	14:16:51
22	paragraph, Cryptocurrencies are not regulated or	14:16:53
23	are lightly regulated in most countries, including	14:16:57
24	the United States. However, one or more countries	14:17:00
25	may take regulatory actions that could severely	14:17:06

Transcript of Rachel Jean Gold  
January 23, 2023

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1 restrict the right to acquire, own, hold, sell, or 14:17:09  
2 use cryptocurrencies, which would adversely impact 14:17:11  
3 their value. Voyager may be forced to suspend or 14:17:14  
4 discontinue the ability to purchase or sell 14:17:17  
5 cryptocurrencies without notice. 14:17:20

6 A I see that. But again, my understanding, 14:17:22  
7 you know, to that would be that they could suspend 14:17:25  
8 or discontinue the ability to purchase or sell, 14:17:28  
9 but that you would still have access to what you 14:17:32  
10 have purchased already. 14:17:35

11 Q But, again, with respect to all these 14:17:37  
12 risks, Mr. Keuning, when Voyager filed for 14:17:40  
13 bankruptcy on July 6th, wrote to you and said that 14:17:44  
14 he warned you about the risks with respect to 14:17:47  
15 investing and opening your Voyager account. 14:17:52

16 A The risks he's talking about have nothing 14:17:54  
17 to do with bankruptcy or not having access to 14:17:58  
18 funds. The risks he was talking about was 14:18:02  
19 volatility within the crypto market. 14:18:04

20 Q And did Mr. Keuning -- did he text you 14:18:06  
21 anything with respect to the risks specifically, 14:18:11  
22 or was that all oral communication? 14:18:14

23 A All oral communication; didn't text me 14:18:17  
24 anything. Some videos on crypto and how it works, 14:18:23  
25 or trying to help me understand crypto, but no 14:18:26

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January 23, 2023

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1	risks.	14:18:34
2	Q So nothing in addition to the message that	14:18:34
3	he sent you on July 6th?	14:18:37
4	A No.	14:18:39
5	Q Okay. So, Ms. Gold, on Document J -- I'm	14:18:40
6	going to show you a document that I'm going to be	14:18:48
7	marking as Exhibit 10.	14:18:51
8	MS. WOLKINSON: For the record, this	14:18:58
9	document bears Bates stamp RGOLD_CUBAN_00096	14:19:00
10	through 00097.	14:19:13
11	(Defendants' Exhibit 10, Voyager E-mail,	14:19:17
12	January 7, 2022, Bates stamped RGOLD_CUBAN_00096	14:19:17
13	through 00097, was marked and presented for	14:19:17
14	purposes of identification.)	14:19:24
15	BY MS. WOLKINSON:	14:19:24
16	Q Do you recognize this document?	14:19:25
17	A It looks like the same one as the other,	14:19:27
18	but the date's different.	14:19:29
19	Q And this e-mail says -- from Voyager to	14:19:36
20	you says, A friend successfully signed up for a	14:19:43
21	Voyager account and traded using your referral	14:19:47
22	code. Thanks to you, you've both earned \$25 each	14:19:50
23	in Bitcoin.	14:19:54
24	Do you see that?	14:19:56
25	A Yes. So this was what I referred to	14:19:57



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1	previously. This was Eric's -- under Eric's	14:20:00
2	account, getting the \$25 in Bitcoin.	14:20:05
3	I had never, on the other one, gotten it,	14:20:11
4	because the account was never funded. So where it	14:20:16
5	says, Completes their first deposit and trade of	14:20:19
6	\$100 or more, mine never went through, just to	14:20:26
7	clarify.	14:20:30
8	Q Thank you.	14:20:30
9	And is the friend here your husband,	14:20:33
10	Mr. Rares?	14:20:37
11	A Yes.	14:20:39
12	Q So, let's shift and talk about the account	14:20:39
13	that was opened on January 7, 2022.	14:20:41
14	Why was that account opened?	14:20:46
15	A So, when I tried to open the first account	14:20:49
16	under my name, at that time, a lot of my funds	14:20:53
17	were in CDs and his were in money markets or a	14:20:58
18	liquid CD -- I don't remember which it was at the	14:21:04
19	time -- and it was his -- those funds under just	14:21:07
20	his name were more accessible at that time to	14:21:11
21	start investing. So when I realized that they	14:21:14
22	weren't allowing me to open up an account in the	14:21:19
23	name that I -- I actually tried to go into the	14:21:21
24	account I originally opened and change the name,	14:21:25
25	but I couldn't do that, so I ended up just saying,	14:21:27

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January 23, 2023

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1	Okay. Never mind. I'll just open a brand-new	14:21:31
2	account and put Eric's e-mail address with all of	14:21:34
3	Eric's information, and that's why the second	14:21:39
4	account was opened.	14:21:42
5	Q Okay. So I'd like to turn your attention	14:21:43
6	back to Exhibit 7. Those are those login	14:21:44
7	screenshots to establish the account.	14:21:49
8	A This one? Oh, this one.	14:21:52
9	Q Just the generic screenshots.	14:21:53
10	So on the login, with respect to the	14:21:58
11	e-mail, when you opened up the account on	14:22:02
12	January 7th, did you put in here your husband's	14:22:05
13	e-mail address?	14:22:09
14	A Yes.	14:22:09
15	Q And what is the e-mail address that you	14:22:09
16	used for your husband?	14:22:14
17	A Eric.alexander.rares@gmail.com.	14:22:14
18	Q And do you have access to your husband's	14:22:21
19	e-mail?	14:22:23
20	A Yes.	14:22:23
21	Q So you can log in and read his e-mails?	14:22:23
22	A Yes.	14:22:27
23	Q And on the second page where it says,	14:22:27
24	Create an Account, back in the middle of the page,	14:22:29
25	it has a reward code --	14:22:32

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1	A	Mm-hmm.	14:22:35
2	Q	-- right?	14:22:35
3		So what reward code did you enter here?	14:22:36
4	A	The reward code for the referral that was	14:22:39
5		on the RGold1@FAU.edu Voyager account.	14:22:41
6	Q	And that was not a reward code that you	14:22:50
7		received from the Mavericks, correct?	14:22:54
8	A	The Mavs code had been discontinued, I	14:22:56
9		believe.	14:22:58
10	Q	And not a reward code that you received	14:22:58
11		from Mr. Cuban, correct?	14:23:00
12	A	No.	14:23:05
13	Q	And then, where it says --	14:23:05
14	A	Sorry, you met Mr. Keuning?	14:23:06
15	Q	Cuban.	14:23:08
16	A	Oh, sorry. Can you ask the last question	14:23:09
17		again?	14:23:11
18	Q	The reward code was not a reward code that	14:23:12
19		you received from Mr. Cuban, correct?	14:23:14
20	A	Correct, because that had a very short	14:23:17
21		window of time to be able to use that code.	14:23:19
22	Q	Are you speaking about a code from	14:23:21
23		Mr. Cuban, or are you speaking --	14:23:24
24	A	The Mavs code.	14:23:26
25	Q	-- about a Mavericks code?	14:23:27

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1	A	Mavericks code.	14:23:30
2	Q	Okay. Are you aware of any code from	14:23:32
3		Mr. Cuban?	14:23:33
4	A	Only the Mavs code.	14:23:34
5	Q	And then, in the middle of the screenshot	14:23:35
6		on page 2, it says, By creating an account, you	14:23:38
7		agree to our Terms.	14:23:41
8		Do you see that?	14:23:42
9	A	I do.	14:23:43
10	Q	And when you opened up the account in your	14:23:44
11		husband's name, did you read the customer	14:23:46
12		agreement and the risk disclosure statements that	14:23:51
13		we just went through?	14:23:53
14	A	No.	14:23:54
15	Q	So you just clicked on here, on the box in	14:23:55
16		the center here that says, By creating an account,	14:23:58
17		you agree to our Terms.	14:24:02
18		Correct?	14:24:04
19	A	Correct.	14:24:05
20	Q	And then, turning to page 3, it asks for	14:24:07
21		you to enter your name.	14:24:12
22		And did you enter here your husband's	14:24:16
23		name, Eric Rares?	14:24:20
24	A	Yes.	14:24:22
25	Q	And turning to slide 4, it asks to enter a	14:24:25

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1	e-mail. I set up the account for him, just like	14:29:16
2	I -- I did for Eric.	14:29:22
3	Q And would you actually execute the	14:29:24
4	transactions in your father's account as well, or	14:29:31
5	only Eric's?	14:29:34
6	A My dad's as well.	14:29:35
7	Q And in your father's account, what bank	14:29:37
8	account did he use?	14:29:39
9	A I believe it was a Wells Fargo account.	14:29:41
10	Q So you had continuous access to both your	14:29:50
11	father's account and your husband's account,	14:29:56
12	right?	14:29:58
13	A Correct.	14:29:59
14	Q And would you actually discuss with your	14:30:03
15	father the investments that you were making within	14:30:06
16	his account, or did you just do them on your own?	14:30:09
17	A For the most part, on my own.	14:30:13
18	Q Is it fair to say that you were a pretty	14:30:19
19	active user of the Voyager account in your	14:30:24
20	husband's name?	14:30:28
21	A Yes.	14:30:29
22	Q And do you know about how many trades you	14:30:30
23	made -- or purchases, rather?	14:30:32
24	A No, but the ledger would tell us that.	14:30:37
25	But off the top of my head, no. It was also about	14:30:42

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1	a year ago.	14:30:45
2	Q So I think if you pull up Exhibit 3, it	14:31:04
3	shows about 112 purchases.	14:31:08
4	Does that look about right?	14:31:10
5	A Are you including the deposits from	14:31:14
6	interest?	14:31:18
7	Q Yes.	14:31:18
8	A Then, yeah, I'm going to trust you on	14:31:20
9	that, since I have not counted these.	14:31:23
10	Q So we -- it looks like it's about	14:31:26
11	112 transactions; is that right?	14:31:32
12	A I'm going to trust you, yes.	14:31:34
13	Q Do you recall any sales or withdrawals?	14:31:39
14	A No.	14:31:46
15	Q Do you remember when you made your last	14:32:04
16	purchase on the Voyager platform in your husband's	14:32:06
17	name?	14:32:10
18	A I do not, but I know it would say it on	14:32:10
19	here. It looks like -- January, February, March,	14:32:14
20	April -- it looks like May.	14:32:29
21	Q Is that the purchase of BAT on	14:32:36
22	May 16, 2022?	14:32:46
23	A Yes.	14:32:47
24	Q So looking, Ms. Gold, at Exhibit 3, are	14:32:47
25	you able to tell me which statements Mr. Cuban	14:32:56

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1 made that you relied upon to purchase the 14:33:05  
2 cryptocurrency? 14:33:08

3 A Well, the blanket statement of just the 14:33:09  
4 Voyager app in general, making it seem that it was 14:33:12  
5 the best app and that it was safe, that what -- 14:33:18  
6 that's what really brought me over the -- that 14:33:24  
7 hump of, you know, being nervous to invest in 14:33:28  
8 something I wasn't very savvy about, like 14:33:31  
9 cryptocurrency. 14:33:34

10 Dylan, as well, I guess, who made money 14:33:38  
11 off of crypto. In regard to specific 14:33:43  
12 cryptocurrencies, USDC and Bitcoin would be the 14:33:48  
13 main two, but especially USDC, since statements 14:33:56  
14 were made by Mark Cuban specifically about 14:34:04  
15 investing in USDC and how it made more sense than 14:34:07  
16 just leaving it in a bank because of the interest 14:34:12  
17 it was able to yield. 14:34:15

18 Q So is your investment strategy consistent 14:34:16  
19 with Mr. Cuban's? 14:34:19

20 A Is it consistent? 14:34:23

21 Q Yes. You're claiming that you relied on 14:34:26  
22 Mr. Cuban's statements, correct? 14:34:29

23 A I relied on the validity of his word that 14:34:34  
24 it was a safe platform that he himself was 14:34:37  
25 investing in, and I thought to myself, Well, if 14:34:41

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1	Mark Cuban -- who is a much more savvy investor	14:34:46
2	than I am -- if he trusts this platform and is	14:34:49
3	recommending it -- I believe his words were	14:34:54
4	something that -- something along the lines that	14:34:56
5	he would hope it would reach a lot more people	14:34:58
6	than just Mavs fans, when he did the conference	14:35:01
7	speaking about Voyager. I had trust in that	14:35:05
8	statement for the app as a whole.	14:35:11
9	Q So in terms, though, of the actual trades,	14:35:15
10	you didn't rely on any of Mr. Cuban's statements	14:35:19
11	when you actually made any of the purchases in	14:35:23
12	your husband's account, right?	14:35:27
13	MR. BUSHMAN: Object to the form.	14:35:30
14	THE WITNESS: No, I did. For USDC,	14:35:31
15	specifically -- that's something that Dylan never	14:35:35
16	discussed with me. I didn't even know what USDC	14:35:38
17	was at the time -- and Bitcoin, were the two that	14:35:41
18	I heard most talked about by Mark Cuban and --	14:35:50
19	well, what I read and what I saw at the	14:35:54
20	conference.	14:35:57
21	BY MS. WOLKINSON:	14:35:57
22	Q And when you're speaking about the	14:35:58
23	conference, are you referencing your viewing at	14:35:59
24	some point of the October 27th press conference	14:36:03
25	when Mr. Cuban was discussing the sponsorship	14:36:08



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1	agreement between the Dallas Mavericks and	14:36:13
2	Voyager?	14:36:16
3	A On YouTube, correct.	14:36:16
4	Q Right. You viewed it on YouTube.	14:36:18
5	And do you remember when you viewed that?	14:36:21
6	A Early January, I would say.	14:36:24
7	Q And do you remember where -- where you	14:36:29
8	were when you viewed it?	14:36:32
9	A Right there (indicating).	14:36:33
10	Q And you don't have any other record of you	14:36:35
11	viewing it, or any conversations, text messages	14:36:39
12	that you might have had, to pinpoint when you	14:36:43
13	actually --	14:36:46
14	A No.	14:36:46
15	Q -- viewed that?	14:36:47
16	Did you talk to anybody else about viewing	14:36:48
17	that press conference on YouTube?	14:36:52
18	A I think I spoke to my father and my	14:36:56
19	husband about it to, I guess, let them know what I	14:36:58
20	was doing and backing up why very briefly; but	14:37:05
21	other than them, I don't think I would have talked	14:37:12
22	to anybody about that specifically.	14:37:13
23	Q So, looking back at Exhibit 3. So, we	14:37:16
24	talked a little bit about the very top, the first	14:37:22
25	transaction, with the deposit of the \$10,000 on	14:37:27

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1	January 7th.	14:37:31
2	Do you see that?	14:37:32
3	A Mm-hmm.	14:37:33
4	Q And was this --	14:37:34
5	MR. BUSHMAN: You have to answer orally.	14:37:35
6	THE WITNESS: Yes.	14:37:38
7	MS. WOLKINSON: Thank you.	14:37:38
8	BY MS. WOLKINSON:	14:37:39
9	Q And was this deposit made immediately	14:37:40
10	after you opened the account in your husband's	14:37:41
11	name?	14:37:45
12	A Yes.	14:37:45
13	Q Okay. And this is a deposit that you	14:37:45
14	made, right?	14:37:47
15	A Yes.	14:37:48
16	Q And the source of funds came from your	14:37:48
17	husband's account, right?	14:37:52
18	A Yes.	14:37:53
19	Q And you said that this account was from	14:37:53
20	proceeds from real estate and other work that	14:37:57
21	Mr. Rares did; is that right?	14:38:02
22	A Correct.	14:38:04
23	MR. BUSHMAN: Object to the form.	14:38:06
24	Mischaracterizes testimony.	14:38:10
25	You can answer.	14:38:12

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1	THE WITNESS: I believe so.	14:38:12
2	BY MS. WOLKINSON:	14:38:13
3	Q And what were those real estate proceeds?	14:38:13
4	A From the Wellington property.	14:38:17
5	Q And were you married when he inherited the	14:38:18
6	property?	14:38:23
7	A I don't think so. Not legally, no. I	14:38:26
8	don't think so. I think we were engaged at that	14:38:31
9	point.	14:38:33
10	Q And what work were you referring to?	14:38:33
11	A What do you mean?	14:38:39
12	Q From the proceeds from his work, that	14:38:40
13	that's what --	14:38:43
14	A Oh.	14:38:43
15	Q -- was used in the account --	14:38:44
16	MR. BUSHMAN: Object to the form.	14:38:47
17	THE WITNESS: But I can answer?	14:38:49
18	MR. BUSHMAN: You can answer.	14:38:50
19	THE WITNESS: From property maintenance	14:38:51
20	management in Seattle.	14:38:53
21	BY MS. WOLKINSON:	14:38:57
22	Q And before making this deposit, did you	14:38:57
23	discuss opening this account with Mr. Rares?	14:38:59
24	A Yes. To what extent, I don't -- I can't	14:39:06
25	recall.	14:39:22

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1	Q And did you discuss this with Mr. Keuning?	14:39:22
2	A Discuss what?	14:39:24
3	Q Making this deposit, the \$10,000 deposit.	14:39:26
4	A I don't know if I ever specified in what	14:39:32
5	amounts I was making deposits for.	14:39:36
6	Q So you see the next six rows of this form.	14:39:46
7	They reflect transactions from January 7, 2022.	14:39:51
8	Do you see a purchase of BTC for	14:39:56
9	approximately \$4,638?	14:40:01
10	A Yeah -- oh, yes, the second one, right?	14:40:07
11	Q Did you make this purchase?	14:40:11
12	A Yes.	14:40:13
13	Q Okay. What did you know about BTC on	14:40:16
14	January 7, 2022?	14:40:26
15	A That it stood for Bitcoin. Other than	14:40:28
16	that, not a lot. There's actually something that	14:40:39
17	I believe Mark Cuban wrote. I don't remember if	14:40:42
18	he said it as well, but I remember he wrote	14:40:43
19	something along the lines of -- that a lot of	14:40:46
20	people don't understand cryptocurrency, and that's	14:40:48
21	why they don't invest in it. And I was one of	14:40:50
22	those people that didn't fully understand it, but	14:40:53
23	I knew it stood for Bitcoin.	14:40:56
24	Q And when did Mr. Cuban make this	14:41:07
25	statement?	14:41:10

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1	actually increased in value?	14:50:16
2	A If I had access to it, yes.	14:50:18
3	Q And your total purchase history for USDC	14:50:46
4	was \$11,000; is that right?	14:50:50
5	A Sounds about right.	14:50:52
6	Q So, you know, based off the spreadsheet	14:50:57
7	you produced for Mr. Rares' account, it appears	14:51:00
8	that you purchased \$43,166 in BTC on your	14:51:04
9	husband's account; is that right?	14:51:13
10	A Correct.	14:51:14
11	Q Is this the most you invested in any one	14:51:14
12	cryptocurrency?	14:51:19
13	A Yes.	14:51:19
14	Q And you didn't invest in any Ethereum,	14:51:19
15	correct?	14:51:24
16	A Correct.	14:51:24
17	Q Why did you not invest in Ethereum?	14:51:25
18	A I just -- I heard more about Bitcoin,	14:51:30
19	and -- there was really no reason why I didn't	14:51:40
20	invest in Ethereum. I just didn't.	14:51:44
21	Q So you are aware that Mr. Cuban has stated	14:51:48
22	that he invests in Ethereum over Bitcoin, right?	14:51:52
23	A I was not aware of that. I do remember	14:51:57
24	seeing a statement that -- I believe, like, the	14:51:59
25	Mavs took both forms of Ethereum and Bitcoin for	14:52:02

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1	payment, something along those lines.	14:52:09
2	Q Are you aware that Mr. Cuban has stated he	14:52:13
3	thinks Ethereum has the most upside?	14:52:18
4	A I was not aware of that.	14:52:19
5	Q And do you know how much you paid for	14:52:25
6	Bitcoin?	14:52:29
7	A I don't know the cost average. There were	14:52:31
8	different prices.	14:52:35
9	Q And do you know how much Bitcoin was held	14:52:37
10	in your husband's Voyager account as of	14:52:40
11	July 1, 2022?	14:52:44
12	A I do not know that amount off the top of	14:52:45
13	my head.	14:52:50
14	Q And over the life of the account, you	14:52:50
15	purchased approximately -- I think we talked about	14:52:55
16	this before -- \$43,166 in Bitcoin; is that right?	14:52:59
17	A That sounds right.	14:53:04
18	Q And the value of BTC, it went down over	14:53:05
19	this period, correct?	14:53:09
20	A I believe so.	14:53:10
21	Q And would you agree that the value of the	14:53:11
22	BTC you purchased declined?	14:53:15
23	A Yes.	14:53:21
24	Q And do you know why it declined during	14:53:21
25	this period?	14:53:23

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1	A	Everything was declining in a lot of	14:53:27
2		different investments. Do I know specifically the	14:53:33
3		reason why? No -- for crypto, no.	14:53:35
4	Q	And did you discuss this decline with	14:53:39
5		Mr. Keuning?	14:53:43
6	A	Yeah, I believe that I did.	14:53:44
7	Q	And what reasoning did he offer?	14:53:46
8	A	That was kind of going back to when he	14:53:49
9		said, you know, crypto will go up and down. You	14:53:51
10		know, I mean, he didn't really say much. He kind	14:53:56
11		of expected it to go up and down.	14:53:59
12	Q	You don't contend that Mr. Cuban had any	14:54:02
13		role in the decline of BTC's value over this	14:54:05
14		period, right?	14:54:09
15	A	No, I don't believe that he had the crypto	14:54:10
16		decline.	14:54:15
17	Q	Ms. Gold, do you understand that there are	14:54:32
18		different types of cryptocurrencies?	14:54:35
19	A	Yes.	14:54:38
20	Q	Do you know what a decentralized	14:54:38
21		autonomous organization, or DAO, is?	14:54:41
22	A	I've heard of it, but I could not	14:54:45
23		articulate what it means to you.	14:54:47
24	Q	And do you know whether you invested in	14:54:50
25		any DAO government tokens on the Voyager platform?	14:54:53

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1	A I believe I've seen that to where I did,	14:55:00
2	yes.	14:55:02
3	Q And which one was that?	14:55:02
4	A I don't know. I just remember seeing the	14:55:04
5	word.	14:55:06
6	Q Okay. And when you invested in APE, was	14:55:08
7	it because it was a DAO government token?	14:55:16
8	A No.	14:55:20
9	Q Do you know what a smart contract token	14:55:21
10	is?	14:55:23
11	A No.	14:55:23
12	Q And do you know whether you invested in	14:55:25
13	any smart contract tokens on the Voyager platform?	14:55:27
14	A I don't know.	14:55:30
15	Q So, I'd like to show you a document that	14:55:35
16	will be marked as Exhibit 11.	14:55:38
17	(Defendants' Exhibit 11, Jeff Galotti Text	14:56:02
18	Messages, Bates stamped RGOLD_CUBAN_00157 through	14:56:02
19	00158, was marked and presented for purposes of	14:56:02
20	identification.)	14:56:04
21	MS. WOLKINSON: So this document bears	14:56:04
22	Bates stamp RGOLD_CUBAN_00157.	14:56:06
23	BY MS. WOLKINSON:	14:56:18
24	Q Ms. Gold, do you recognize this document?	14:56:20
25	A Yes.	14:56:21



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1	Q What is this?	14:56:22
2	A A text between Jeff, my advisor, and	14:56:23
3	myself.	14:56:27
4	Q So this document is a snapshot of a text	14:56:29
5	correspondence between you and Jeff at	14:56:35
6	TD Ameritrade, correct?	14:56:39
7	A Correct. CWA, but correct.	14:56:41
8	Q CWA.	14:56:45
9	And I -- I don't see a date on the first	14:56:48
10	page of this document. Do you know when this	14:56:52
11	document was created?	14:56:55
12	A Well, it says January 18th here, so it was	14:56:57
13	around that time.	14:57:02
14	Q So when you said it says, "January 18	14:57:05
15	here," are you referring to the bottom of the	14:57:11
16	second page of Exhibit 11?	14:57:14
17	A Yes.	14:57:15
18	Q So how were you connected with Jeff?	14:57:27
19	A When my husband and I went to interview	14:57:32
20	advisors, we went to -- one of the places we went	14:57:38
21	was TD Ameritrade, and they brought in a third	14:57:43
22	party they use to invest clients. And that's when	14:57:48
23	I first met with him.	14:57:51
24	Q And when did you first connect with him?	14:57:52
25	In what period was that?	14:57:53

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1	A	I -- towards the end of 2019.	14:57:54
2	Q	And would you typically communicate with	14:58:04
3		him via text message?	14:58:08
4	A	Text, e-mail, calls.	14:58:10
5	Q	And this is a document -- Exhibit 11 is a	14:58:18
6		document that you produced, correct?	14:58:23
7	A	Yes.	14:58:24
8	Q	And how did you go about collecting these	14:58:25
9		messages with Jeff?	14:58:28
10	A	I searched in my search bar, "crypto,"	14:58:29
11		"Voyager." I think there was another. But I just	14:58:40
12		searched different keywords to try to bring up any	14:58:46
13		messages.	14:58:51
14	Q	And what -- from what device does this	14:58:51
15		screenshot come from?	14:58:53
16	A	My cell phone.	14:58:54
17	Q	And is this document read from bottom to	14:58:59
18		top, or top to bottom?	14:59:02
19	A	Top to bottom.	14:59:08
20	Q	And are you speaking in blue bubbles?	14:59:09
21	A	Yes.	14:59:13
22	Q	And then Jeff is speaking in the black	14:59:14
23		bubbles, right?	14:59:16
24	A	Correct.	14:59:17
25	Q	So you believe that this text chain, even	14:59:21

Transcript of Rachel Jean Gold  
January 23, 2023

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1	though it's not dated, it is from January of 2022;	14:59:25
2	is that right?	14:59:31
3	A Yes.	14:59:33
4	Q So it says on top in blue -- so that's you	14:59:36
5	speaking -- I started buying crypto.	14:59:42
6	Do you see that?	14:59:45
7	A Yes.	14:59:46
8	Q And then Jeff replies, Any -- Any NFTs	14:59:47
9	yet, question mark, LOL.	14:59:57
10	Do you see that?	15:00:00
11	A Yes.	15:00:01
12	Q What are NFTs?	15:00:01
13	A Something-something tokens. That, I still	15:00:07
14	don't understand.	15:00:10
15	Q So you then respond, My friend made	15:00:11
16	1 million on a 20K investment last year. No NFTs,	15:00:18
17	just crypto. I just listen to him. He messaged	15:00:23
18	me daily on what to buy, and I'm just listening to	15:00:26
19	him.	15:00:29
20	Correct?	15:00:30
21	A Correct. That's what I said.	15:00:31
22	Q And who is the friend that you're	15:00:32
23	referring to?	15:00:34
24	A Dylan.	15:00:34
25	Q And that's Dylan Keuning, correct?	15:00:36

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January 23, 2023

154

1	A	Correct.	15:00:38
2	Q	And when you say, quote, I just listen to	15:00:39
3		him, are you referring to Dylan?	15:00:47
4	A	Yes, but it's not in the sense of I am	15:00:49
5		only listening to him. It's, I'm listening to him	15:00:52
6		on investments to make. But the issue for me, on	15:00:56
7		the record, isn't the crypto choices or the types	15:01:01
8		of crypto. It's the application and the exchange	15:01:06
9		on which those cryptos were on, the Voyager app	15:01:11
10		itself.	15:01:18
11	Q	And it says here in blue that you were	15:01:23
12		just listening to your friend on what	15:01:32
13		cryptocurrencies to purchase, correct?	15:01:34
14	A	Correct.	15:01:36
15	Q	So you weren't listening to Mr. Cuban on	15:01:37
16		what cryptocurrencies to purchase, right?	15:01:42
17	A	Well, at that time, I hadn't purchased	15:01:45
18		USDC yet, but because of -- I was listening to	15:01:48
19		Dylan on specific types of cryptos, and then	15:01:55
20		getting his information and doing my own research.	15:01:59
21		The reason that I chose the Voyager app to end up	15:02:01
22		trading the cryptos that he was telling me he was	15:02:06
23		doing was because of Mark Cuban.	15:02:10
24	Q	Sorry. So which statements were you	15:02:19
25		listening to that you are attributing to Mark	15:02:23

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1	Cuban with respect to your cryptocurrency	15:02:28
2	purchases?	15:02:29
3	A The app itself; trading on Voyager app	15:02:30
4	itself.	15:02:33
5	Q But when you are writing in your text	15:02:36
6	message here, you're writing, No NFTs, just	15:02:41
7	crypto. I just listen to him. He messaged me	15:02:45
8	daily on what to buy, and I'm just listening to	15:02:49
9	him.	15:02:52
10	Correct?	15:02:52
11	A On the specific types of crypto.	15:02:53
12	Q Okay. So you weren't --	15:02:55
13	A At that moment.	15:02:56
14	Q So as I asked before, you weren't	15:02:57
15	listening to Mark Cuban, then, about which	15:03:00
16	cryptocurrencies to purchase, right?	15:03:02
17	A I was only listening to Mark Cuban and	15:03:04
18	taking what he said to purchase it on the Voyager	15:03:07
19	platform.	15:03:10
20	Q And you weren't listening to anyone at the	15:03:13
21	Mavericks about which cryptocurrencies to	15:03:17
22	purchase, right?	15:03:19
23	A He spoke about Bitcoin a lot, and I saw	15:03:24
24	statements about Bitcoin, which made me feel	15:03:29
25	confident in purchasing Bitcoin, which was the	15:03:33

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1	majority of my purchases at this time.	15:03:36
2	Q When you say, He messaged me daily on what	15:03:40
3	to buy, you're referring to Mr. Keuning, right?	15:03:44
4	A Correct.	15:03:49
5	Q And how would Mr. Keuning message you?	15:03:50
6	A Facebook, phone.	15:03:55
7	Q And these were daily messages?	15:04:02
8	A To start off, yeah.	15:04:05
9	Q And these were, you said, on Facebook and	15:04:20
10	your phone.	15:04:22
11	And have you been through all of these	15:04:23
12	messages to produce to us everything relevant?	15:04:26
13	A I believe so, yes.	15:04:33
14	Q So these daily messages, how many would	15:04:37
15	you say you've received?	15:04:41
16	A I don't know. Probably around 20 mess --	15:04:55
17	that's very much a guess.	15:05:07
18	Q So we haven't received 20 text chains.	15:05:10
19	So, you know, we would request that you review	15:05:18
20	your records to see if there are additional --	15:05:21
21	A Okay.	15:05:23
22	Q -- relevant documents that you can have	15:05:24
23	your attorney produce.	15:05:26
24	What cryptocurrencies was your friend	15:05:28
25	telling you to buy?	15:05:31

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1	A	Some of what you see here, and others that	15:05:36
2		I don't remember the acronyms for.	15:05:40
3	Q	And at the end of the message, it says,	15:05:45
4		quote, I'm just listening to him.	15:05:50
5		Do you see that?	15:05:52
6	A	Yes.	15:05:53
7	Q	And this, again, is referring to your	15:05:54
8		friend, right?	15:05:56
9	A	Yes.	15:05:57
10	Q	And this is not referring to Mr. Cuban,	15:05:58
11		correct?	15:06:01
12	A	This text message is not referring to	15:06:01
13		Mr. Cuban.	15:06:04
14	Q	And it's not referring to the Dallas	15:06:04
15		Mavericks, correct?	15:06:07
16	A	This text message, no.	15:06:08
17	Q	And there's nothing in this text message	15:06:10
18		that references Mr. Cuban, correct?	15:06:13
19	A	Correct.	15:06:15
20	Q	And there's nothing in this text message	15:06:16
21		that references the Dallas Mavericks, correct?	15:06:19
22	A	Correct.	15:06:21
23	Q	Why were you telling Jeff at CWA about	15:06:22
24		listening to your friend on what cryptocurrencies	15:06:31
25		to purchase?	15:06:33

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1	A	Just telling him. I don't know if there	15:06:38
2		was an ulterior, you know, like, motive behind me	15:06:42
3		doing that. Just conversational, letting him know	15:06:47
4		what I was doing.	15:06:50
5	Q	So Jeff then asks you, What wallet and	15:06:52
6		exchange do you use?	15:06:58
7		Correct?	15:07:00
8	A	Correct.	15:07:01
9	Q	And you respond, I use Coinbase. He has	15:07:02
10		me buying Algorand on Coinbase BC of the APY, and	15:07:05
11		everything else on Voyager.	15:07:17
12		Do you see that?	15:07:18
13	A	I do.	15:07:19
14	Q	And it's accurate -- and I believe you	15:07:20
15		said earlier that you also used Coinbase; is that	15:07:21
16		right?	15:07:21
17	A	Correct.	15:07:26
18	Q	And when did you start using Coinbase?	15:07:26
19		Was that also in January?	15:07:28
20	A	Yes.	15:07:28
21	Q	And did you open up your Coinbase account	15:07:29
22		before your Voyager accounts?	15:07:33
23	A	I believe so.	15:07:35
24	Q	And when you say, He has me buying	15:07:36
25		Algorand on Coinbase BC of the APY, and everything	15:07:39



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1	else on Voyager, who is the "he" you're referring	15:07:46
2	to here?	15:07:49
3	A Dylan.	15:07:49
4	Q And what do you mean that your friend,	15:07:50
5	quote, had you buying Algorand on Coinbase BC of	15:07:54
6	the APY?	15:07:58
7	A I used Coinbase -- he has me buying	15:07:58
8	Algorand on Coinbase. He recommended Algorand on	15:08:04
9	Coinbase.	15:08:06
10	Q So Mr. Keuning recommended that you	15:08:06
11	purchase Algorand on Coinbase, right?	15:08:10
12	A I think "recommended" is a strong word.	15:08:12
13	He was telling me what he was doing, and I decided	15:08:15
14	to -- after my own research, I decided that would	15:08:18
15	be a good idea.	15:08:21
16	Q And what do you mean that you said that	15:08:24
17	your friend, Had me buying everything else on	15:08:29
18	Voyager.	15:08:31
19	What did you mean by that?	15:08:32
20	A I just said, Everything else on Voyager.	15:08:34
21	I used Voyager for everything else.	15:08:37
22	Q So your -- your friend was telling you to	15:08:40
23	buy other cryptocurrencies on Voyager?	15:08:43
24	A He wasn't telling me to buy it; he shared	15:08:46
25	information that he had. And, again, after doing	15:08:49